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C-d. 100

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR
(C.G.)

WRIT PETITION NO.2770 /2004

PETITIONER

Tusarkar Dewangan, aged about 44 years, son of Shri B.P. Dewangan, Assistant Grade III, Mini Mata (Hasdeo Bango Project), Water Resources Department, Resident of Behind – Gyandeep School, Chandaniya para, Janjgir, Distt. Janjgir-Champa (C.G.)

P.R. No. 2321/04 ..... Shri C. D. Shastry ... 31-1-04 ...

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through : The Secretary, Department of Irrigation, Dau Kalyan Singh Bhawan, Raipur (Chhattisgarh)

2. The Chief Engineer, Mini Mata (Hasdeo Bango Project), Bilaspur, Distt. Bilaspur (CG)

RECEIVED-COPY 31.1.04 Clerk to A. G. Bilaspur

3. G.C. Chandra, Assistant Grade III, Office of the Chief Engineer, Hasdeo Bango Pariyojna, Bilaspur.

4. Gambheer Prasad Yadav, Assistant Grade III, Office of the Executive Engineer, Mini Bango Nagar S.K. No. 4 Dabra, Sakti, Distt. Janjgir –Champa.

5. K.C. Rathore, Assistant Grade III, Office of the

(4)

Executive Engineer, Hasdao Nahar Jal Pr. San. Janjgir, Distt. Janjgir-Champa.

6. Anup Jawalkar, Office Assistant, Grade III, Chief Engineer, Hasdeo Bango Pariojna, Bilaspur,(C.G.)

7. B.L. Dewangan, Office Assistant, Office of the Executive Engineer, Bango Nagar San Kr. 6 Sakti, Janjgir-Champa.

8. Kamlesh Singh, Office Assistant, Grade III, Executive Engineer, Hasdeo Nagar J. Pr. S. Janjgir-Champa (Chhattisgarh)

9. R.K. Shukla, Office Assistant, Grade III, Office of the Executive Engineer, Hasdeo Nagar J.PR S. Janjgir-Champa (CG)

10. G.R. Lader, Hasdeo Nagar J-PR S. Janjgir-Champa CC-9.Ja, 1.8.04

11. Laxmikumar Tiwari, Office Assistant, Grade III, Office of the Chief Engineer, Hasdeo Bango Pariyojna, Bilaspur (CG)

12. Agastin Aashwan, Office Assistant, Grade III, Office of the Executive Engineer, Div No. 5, Kharsia, Raigarh (CG)

13. Mohan lal Sriwas, Office Assistant, Grade III, Office of the Executive Engineer, No.4, Dabhra, Sakti, Janjgir-Champa.

14. Smt. Yashoda Shandilya, Office Assistant, Grade III, Office of the Executive Engineer, Janjgir-Champa.

15. Smt Anjula Sriwastav, Office Assistant, Grade III, Office of the Chief Engineer, Hasdeo Bango Pariyojna, Bilaspur (Chhattisgarh)

16. Smt. Manjula Sinha, Office Assistant, Grade III, Office of the Chief Engineer, Hasdeo Bango Pariyojana, Bilaspur (CG)

17. M. Mallik, Office Assistant, Grade III, Office of the Chief Engineer, Hasdeo Bango Pariyojana, Bilaspur.

18. J.S. Paikara, Office Assistant, Grade III, Office of the Hasdeo Barrage, Division Korba, Distt. Korba (Chhattisgarh)

19. R.A. Khan, Office Assistant, Grade III, Office of the Executive Engineer, S.K. U. Sakti, Janjgir – Champa.

20. Smt Vandana Mohdeekar, Office Assistant, Grade III, Chief Engineer, Hasdeo Bango Pariyojana, Bilaspur (C.G.)

21. Ku. Shobha Awasthi, Office Assistant, Grade III, Korba Mandal, Korba (Chhattisgarh)

22. Riyaj Ahmed, Office Assistant, Grade III, Office of the Executive Engineer,

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Mi Ban. No. Div No. 5, Kharsia, Raigarh (CG)

23. D.K. Rathore, Office Assistant, Grade III, Office of the Executive Engineer, Janjgir-Champa (CG)

24. P. Rao Office Assistant, Grade III, Office of the Chief Engineer, Hasdeo Bango Pariyojana, Bilaspur (CG)

25. J.R. Sahu, Office Assistant, Grade III, Office of the Executive Engineer, Janjgir, Distt. Janjgir-Champa (CG)

26. R.P. Lahre, Office Assistant, Grade III, Office of the Executive Engineer, Mi Ba N Div No.3 Sakti, Janjgir.

27. Smt. Mamta Kale Office Assistant, Grade III, Office of the Chief Engineer, Hasdeo Bango Pariyojana, Bilaspur.

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA, 1950 FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS ETC. AND FOR APPROPRIATE ORDER / ORDERS, DIRECTION / DIRECTIONS.

(76)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No. 2770/2004 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

3.1.2005

Shri M.D.Sharma, counsel for the petitioner.

Shri Dashrath Gupta, Govt. Advocate for the State.

Heard.

I.A.No. 6051/2004 for urgent hearing is allowed.

The petitioner has filed this writ petition for issuance of a writ of Certiorari for quashing and setting aside the order Annexure P-4 and P-8. The main contention of the petitioner is that he was appointed as L.D.C. in the Irrigation Department vide order Annexure P-1 on 16.1.1984. His further grievance is that though various promotions took place in the department, but the case of the petitioner was not considered.

Learned counsel for the petitioner also draws attention of the Court towards the fact that many juniors to the petitioner have been promoted to the next higher post of U.D.C.

During the course of argument when the Court was inclined to issue notice to the respondents, learned counsel for the petitioner very fairly submitted that he has made representation vide Annexure P-11-B which is placed at page 19 of the petition. He prays for direction to dispose of the said representation or he may be permitted to file a fresh representation. He further submits that if any adverse order is passed or if the petitioner will not be satisfied with the orders passed on representation, he may be given an opportunity to come before this Court again.

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XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 2770/2004 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	Without expressing any view on merits, the prayer made by learned counsel for the petitioner is allowed. It is directed that the petitioner may make a fresh representation to the respondent No. 2 within a period of 3 weeks from today along with a copy of this order and if such a representation is made, the respondent No.2 will decide the same within a period of 2 months from the date of its filing. If the petitioner would be dissatisfied with the orders passed on representation, he will be at liberty to come before this Court. With the aforesaid direction, the petition stands finally disposed of. **Sd/-** **Sunil Kumar Sinha** **Judge**	